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EXAMINER

HINZE, LEO T

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/913,780

Applicant(s)

MOULIN, MICHEL

Examiner

Leo T. Hinze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003 and 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,47 and 49-87 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 85 and 86 is/are allowed.
- 6) ☒ Claim(s) 1,47,49-77,79-82 and 87 is/are rejected.
- 7) ☒ Claim(s) 78 and 83-84 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

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DETAILED ACTION

Claim Objections

1. Claims 47, 54-71, 79-81, and 83-84 are objected to because of the following informalities: the claim has two items labeled "(b)".

Claim 50 is objected to because of the following informalities: it appears that in line 4 of the claim, the passage "printing plurality of plates" should be "plurality of printing plates".

Claim 82 is objected to because of the following informalities: the limitation "the supporting plate area" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim 87 is objected to because of the following informalities: the claim has two items labeled "(ii)".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 47, 51-61, 63, 67-68, 71, 79, 82, and 87 are rejected under 35 U.S.C. 102(b) as being anticipated by Landsman, US 4,764,815.

Regarding claims 1, 47, 53, and 87, Landsman teaches a flat bed platesetter system for imaging radiant energy onto a printing plate (col. 1, lines 7-9), the system comprising: (a) a

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supporting bed (26, 28, Fig. 1); (b) drive means/a carriage (30, 32, Fig. 2) for sliding ("slidably supported", col. 5, line 35) the printing plate on the support bed in a direction of movement and; (c) an optical head (12, Fig. 1) movably mounted on a stationary bridge (14, 14a, Fig. 1), adapted to move across the direction of movement of the printing plate ("moves transversely across... the surface to be scanned", col. 3, lines 14-15) and being provided for emitting radiant energy onto the printing plate (col. 3, lines 5-12).

Regarding claim 51, Landsman also teaches a flat bed platesetter system for imaging radiant energy onto a printing plate (col. 1, lines 7-9), the system comprising: (a) a support bed (30, Fig. 1) directly supporting the printing plate in a direction of movement; (b) an optical head (12, Fig. 1) movably mounted on a stationary bridge (14, 14a, Fig. 1), adapted to move across the direction of movement of the printing plate ("moves transversely across... the surface to be scanned", col. 3, lines 14-15) and being provided for emitting radiant energy onto the printing plate (col. 3, lines 5-12); and (c) a drive assembly comprising: (i) a carriage member (32, Fig. 1)) for moving the printing plate; (ii) an electric linear motor ("linear induction motors", col. 4, lines 24-25) driving the carriage member; and (iii) an encoding system for defining the position of the printing plate along its path of movement (col. 9, lines 4-22).

Regarding claim 52, Landsman also teaches wherein the carriage member (32, Fig. 1) is provided in a center position of a support area (24, Fig. 1) supporting the printing plate (see Fig. 1)

Further regarding claim 53, Landsman teaches wherein the carriage comprises at least one radiation intensity detector (62, Fig. 4).

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Regarding claim 54, Landsman also teaches bearing means (40, 42, 46, Fig. 4) for movably supporting the printing plate in the direction of movement.

Regarding claim 55, Landsman also teaches wherein the printing plate comprises a thermosensitive or photosensitive (col. 5, lines 39-40) material.

Regarding claim 56, Landsman also teaches wherein the head comprises a spatial modulator ("beam modulator", col. 11, line 62) illuminated by at least one of the emitters ("laser", col. 11, line 62) and an optic (90, Fig. 13) forming the image of the modulator onto the printing plate.

Regarding claim 57, Landsman also teaches wherein the at least one emitter is a laser emitter ("laser", col. 11, line 62).

Regarding claim 58, Landsman also teaches wherein the carriage includes a longitudinally moving element of a linear motor (34, Fig. 1).

Regarding claim 59, Landsman also teaches wherein the carriage is supportingly guided by at least one element (26, 28, Fig. 4).

Regarding claim 60, Landsman also teaches wherein the carriage comprises at least one vacuum gripper holding the printing plate at the level of the supporting bed ("negative pressure...lock[s] the components in place", col. 4, lines 32-34; 50, 52, 54, Fig. 4).

Regarding claim 61, Landsman also teaches wherein the carriage comprises a carriage member (32, Fig. 1) located in the middle of the width of the flat bed (24, Fig. 1).

Regarding claim 63, Landsman also teaches printing plate positioning means for bringing the printing plate into a defined and centered position prior to imaging (col. 5, lines 58-61).

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Regarding claim 67, Landsman also teaches an encoding system for properly defining the position of the carriage member along its path of movement (col. 9, lines 4-22).

Regarding claim 68, Landsman also teaches printing plate squaring means to position the plate at a defined longitudinal position on the support bed prior to imaging (col. 5, lines 58-61).

Regarding claim 71, Landsman also teaches in which a plurality of low-friction elements (26, 28, 40, 42, 46, Fig. 4) are arranged to form a supporting bed extending the length of the platesetter.

Regarding claim 79, Landsman also teaches wherein the carriage is provided with a radiation intensity detector (62, Fig. 4).

Regarding claim 82, Landsman also teaches wherein the carriage (30, Fig. 4) has a base (32, Fig. 4) located under a supporting bed with sliding elements (40, 42, 46, Fig. 4) and a protruding section carrying suction cups (50, 52, Fig. 4) and disposing the suction cups at the level of the supporting plate area.

Further regarding claim 87, Landsman teaches (b) providing a printing plate on the support bed of the flat bed platesetter (col. 5, lines 44-61); (c) positioning the printing plate on the support bed (col. 5, lines 58-61); (d) moving the printing plate in a first direction (col. 3, lines 49-50); and (e) moving a radiant energy emitting head in a second direction substantially perpendicular to the first direction to provide an image on the printing plate (col. 3, lines 14-15)

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 49, 62, 64, 66, and 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman in view of Hinckley, US 2,982,387.

Landsman teaches:

- a flat bed platesetter system for imaging radiant energy onto a printing plate, the system comprising: (a) a supporting bed; (b) a carriage for sliding the printing plate in a direction of movement on the supporting bed; and (c) an optional storing and delivery system for a plurality of printing plates having a support and delivery area as discussed in the rejection of claims 1, 47, 51-61, 63, 67-68, 71, 79, 82, and 87 above (claim 49);
- all that is claimed as discussed in the rejection of claim 47 and 63 above (claims 62 and 64);
- wherein the support comprises a supporting surface divided into a loading zone (with loader 33, Fig. 1) to receive plates to be imaged, an imaging zone where plates are subjected to radiant energy and imaged, and an ejection zone (with unloader 35, Fig. 1) to receive the imaged plates (Fig. 1) (claim 72);
- in which the bearings (40, 42, 46, Fig. 4) are disposed on each side of the path of the carriage (claim 74).

Landsman does not teach:

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- wherein the support bed is disposed in a downwardly inclined manner with respect to the direction of movement of the printing plate; and (c) an optional storing and delivery system which is downwardly inclined or inclinable to feed a printing plate by gravitational force onto a support area of the flat bed platesetter (claim 49);
- wherein the system is inclined in the direction of movement of the printing plate (claim 62);
- wherein the support bed is disposed in an inclined manner, and the printing plate positioning means comprise at least one positioning element provided laterally (24, Fig. 2) of the inclined support bed and at least one positioning element provided at a downstream end of the support bed (claim 64);
- wherein at least one of the positioning elements is movable (claim 66);
- wherein the loading zone comprises arrays of parallel, longitudinally aligned roller-bearing channels to receive and support plates (claim 73);
- wherein one of the roller-bearing channels is movable (claim 75).

Hinckley teaches a roller assembly for use in moving articles from one position to another, including:

- a support system in a downwardly inclined manner with respect to the direction of movement of the supported item (e.g. Fig. 1);
- a positioning element provided laterally (24, Fig. 2) of the inclined support bed and at least one positioning element provided at a downstream end of the support bed (14, Fig. 2) (claim 64);

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- wherein at least one of the positioning elements (24, Fig. 2) is movable (col. 2, lines 31-33) (claim 66);
- wherein the loading zone comprises arrays (“one, two, three, or more roller assemblies may be provided as required”, col. 2, lines 54-56) of parallel, longitudinally aligned roller-bearing channels (54, Fig. 2) (claim 73);
- wherein one of the roller-bearing channels is movable (“adjustable secured”, col. 1, lines 45-46) (claim 75);
- that it is common practice to arrange articles so that they are movable by gravity along inclined paths or tracks (col. 1, lines 20-22);
- adjustable rollers are advantageous for providing pathways of any desired width required for receiving and guiding articles of varying size (col. 1, lines 45-48).

Regarding claims 49, 62, 64, and 66 it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Landsman wherein the support bed and the storing and delivery area are disposed in a downwardly inclined manner, because Hinckley teaches that it is common practice to arrange articles so that they are movable by gravity along inclined paths or tracks, and one having ordinary skill in the art would recognize that using gravity to move the plates would eliminate the need for a driving mechanism, thereby reducing the cost and complexity of the system.

Regarding claim 72, the combination of Landsman and Hinckley teaches all that is claimed as discussed above.

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Regarding claims 73-75, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Landsman to use arrays of movable parallel, longitudinally aligned roller-bearing channels to receive and support plates, because Hinckley teaches that such rollers are well-known in the art for movable supporting loads, and adjustable rollers are advantageous for providing pathways of any desired width required for receiving and guiding articles of varying size.

4. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman in view of Rinke et al., US 5,934,195 and Powers et al., US 5,193,690.

Landsman teaches a flat bed platesetter system for successively imaging radiant energy onto a plurality of printing plates (col. 1, lines 7-9), the system comprising: (a) a supporting bed (26, 28, Fig. 1); (b) a carriage (30, 32, Fig. 2) for sliding ("slidably supported", col. 5, line 35) a first one of plurality of printing plates on the support bed in a direction of movement and; (c) an optical head (12, Fig. 1) movably mounted on a stationary bridge (14, 14a, Fig. 1), adapted to move across the direction of movement of the first one of the plurality of printing plates ("moves transversely across... the surface to be scanned", col. 3, lines 14-15) wherein the optical head comprises emitters for emitting radiant energy onto the first one of the plurality of printing plates (col. 3, lines 5-12). Landsman also teaches those skilled in the art will understand it is customary to provide registration means on the platen so as to accurately locate the media to be scanned within the scanning area of the platen (col. 5, lines 58-61).

Landsman does not teach (d) printing plate positioning means for bringing the printing plate into a defined position onto a support area prior to imaging wherein a first positioning element is

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provided at a downstream first side, second and third positioning elements are provided at a second opposite side, and at least a fourth positioning element is provided at a third lateral side of the support area and; (e) a collapsible stop disposed in a path of movement of the first one of the plurality of printing plates in the direction of movement, the supporting bed, carriage, optical head, positioning means and stop configured to drive the first one of the plurality of printing plates to an imaging zone while a second one of the plurality of printing plates is being positioned by the positioning means.

Rinke teaches an apparatus for and method of exposing lithographic plates, including printing plate positioning means for bringing the printing plate into a defined position onto a support area prior to imaging wherein a first positioning element is provided at a downstream first side (113, Fig. 5), second and third positioning elements are provided at a second opposite side (103, Fig. 5), and at least a fourth positioning element (105, Fig. 5) is provided at a third lateral side of the support area (Fig. 5).

Powers teaches a lithographic plate handling and manipulating system including solenoid mounted stops (97, 99, Fig. 7) which selectively allow movement of plates past the stops (col. 5, lines 40-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Landsman to include printing plate positioning means for bringing the printing plate into a defined position onto a support area prior to imaging wherein a first positioning element is provided at a downstream first side, second and third positioning elements are provided at a second opposite side, and at least a fourth positioning element is provided at a third lateral side of

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the support area, because Landsman teaches that having ordinary skill in the art would know to provide registration means, and Rinke teaches a means of registration that is well-known in the art.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to additionally modify Landsman to include a collapsible stop disposed in a path a collapsible stop disposed in a path of movement of the first one of the plurality of printing plates in the direction of movement, because Powers teaches that such collapsible stops are advantageous for controlling and directing the movement of the plate through the apparatus.

5. Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman in view of Hinckley as applied to claims 49, 62, 64, 66, and 72-75 above, and further in view of Rinke et al.

The combination of Landsman and Hinckley teaches all that is claimed as discussed in the rejection of claims 49, 62, 64, 66, and 72-75 above.

Landsman also teaches those skilled in the art will understand it is customary to provide registration means on the platen so as to accurately locate the media to be scanned within the scanning area of the platen (col. 5, lines 58-61).

The combination of Landsman and Hinckley does not teach wherein a first positioning element is provided at a first lateral side, second and third positioning elements are provided at a second lateral side, and a fourth positioning element is provided at the downstream end of the support area (claim 65);

Rinke teaches an apparatus for and method of exposing lithographic plates, including printing plate positioning means for bringing the printing plate into a defined position onto a support area prior to imaging wherein a first positioning element is provided at a downstream first

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side (113), second and third positioning elements are provided at a second opposite side (103) , and at least a fourth positioning element (105) is provided at a third lateral side of the support area (Fig. 5).

Regarding claim 65, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify Landsman wherein a first positioning element is provided at a first lateral side, second and third positioning elements are provided at a second lateral side, and a fourth positioning element is provided at the downstream end of the support area, and further wherein at least one of the positioning elements is movable, because Landsman teaches that having ordinary skill in the art would know to provide registration means, and Rinke teaches a means of registration that is well-known in the art..

6. Claims 69-70 and 80-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman in view of Rinke et al.

Landsman teaches all that is claimed as discussed in the rejection of claims 1, 47, 51-61, 63, 67-68, 71, 79, 82, and 87 above, including those skilled in the art will understand it is customary to provide registration means on the platen so as to accurately locate the media to be scanned within the scanning area of the platen (col. 5, lines 58-61).

Landsman does not teach:

- in which the squaring means comprises two movable elements (claim 69);
- in which the plate is firmly abutted against a plurality of positioning elements by a friction pushing mechanism (claim 70);

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- wherein the carriage is provided with a detector at its front end to detect the presence of a plate in relation to a track (claim 80);
- wherein the carriage comprises a detector at its tail end to detect the presence of a plate in relation to a track on the carriage return trip (claim 81).

Rinke teaches a plate positioning system as discussed in the rejection of claim 65 above, including:

- in which the squaring means comprises two movable elements (103, 105, 113, Fig. 5) (claim 69);
- in which the plate is firmly abutted against a plurality of positioning elements by a friction (between the plate and the platen 85, Fig. 5) pushing mechanism (109, Fig. 6) (claim 70);
- a sensor (col. 14, lines 34-38) for sensing the presence of the plate and signaling the control system to perform a function.

Regarding claims 69-70, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Landsman in which the squaring means comprises two movable elements, in which the plate is firmly abutted against a plurality of positioning elements by a friction pushing mechanism, because Landsman teaches that one having ordinary skill in the art would know to provide registration means, and Rinke teaches a means of registration that is well-known in the art.

Regarding claims 80-81, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Landsman to include the detectors for detecting the

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presence of a plate as necessary, because Rinke teaches that sensors for sensing a plate are advantageous for signaling the control system to perform a function and one having ordinary skill in the art would recognize the benefits of including sensors where necessary to allow the presence of the plate to control the system.

7. Claims 76-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman in view of Hinckley as applied to claims 49, 62, 64, 66, and 72-75 above, and further in view of Weeks et al., US 5,115,920.

The combination of Landsman and Hinckley teaches all that is claimed as discussed in the rejection of claims 49, 62, 64, 66, and 72-75 above, except:

- wherein the supporting zone includes a plurality of rows of bearings inserted in solid plates (claim 76);
- wherein a plurality of rows of pressure bearings maintain the plate against rows of precision bearings (claim 77).

Weeks teaches a laser cutting machine with bed for supporting plates or sheets, wherein the bed (14) is a ball-transfer table, and the laser head (28) has roller balls (52) positioned in its bottom operating surface, opposite sets of roller balls (56) in a support assembly (46). Weeks teaches that such an arrangement creates sufficient pressure to keep the workpiece secure during the process, while still allowing it to be moved relative to the laser (col. 3, lines 9-13).

Regarding claims 76 and 77, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Landsman wherein the supporting zone includes a plurality of rows of bearings inserted in solid plates and wherein a plurality of rows of pressure

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bearings maintain the plate against rows of precision bearings, because Weeks teaches that such an arrangement is advantageous for creating sufficient pressure to keep the workpiece secure during the process, while still allowing it to be moved relative to the laser.

Response to Arguments

8. Applicant's arguments filed 10 October 2003 with respect to the rejection(s) of claim(s) 1, 47, 49-84, and 87 have been fully considered but they are not persuasive.

Specifically regarding applicant's arguments on page 13, paragraphs 3-5, with respect to the alleged benefits of the invention over the prior art: while the arguments regarding the benefits of the invention of the instant application with regard to the prior art are appreciated, the claim language does not sufficiently distinguish the invention from the prior art of record.

Allowable Subject Matter

9. Claims 85 and 86 are allowed.

10. Claims 78 and 83-84 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

For statements of reasons for the indication of allowable subject matter, see previous Office Actions.

11. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

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Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eberhard, US 5,437,360 teaches a conveyor system, including the elimination of pallets or containers for conveying the articles in order to reduce space requirements and to reduce the weight and mass that must be moved by the conveyor (col. 1, lines 21-30).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (703) 305-3339. The examiner can normally be reached on M-F 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0952.

Leo T. Hinze
Patent Examiner
AU 2854
26 November, 2003


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